

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
NISHA BROOKS-WHITTINGTON
3 Assistant Federal Public Defender
411 E. Bonneville, Ste. 250
4 Las Vegas, Nevada 89101
(702) 388-6577/Phone
5 (702) 388-6261/Fax
Nisha_Brooks-Whittington@fd.org
6

7 Attorney for Joshua Lee Parkhurst

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Respondent/Plaintiff,

12 v.

13 JOSHUA LEE PARKHURST,
14 Petitioner/Defendant.

Case No. 2:14-cr-00164-GMN-CWH

**STIPULATION TO EXTEND THE
REPLY DEADLINE**

(First Request)

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16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
17 United States Attorney, and Nancy Olson, Assistant United States Attorney, counsel for the
18 United States of America, and Rene L. Valladares, Federal Public Defender, and
19 Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for
20 Joshua Lee Parkhurst ("Mr. Parkhurst"), submit the following Stipulation to extend the
21 due date for defendant's Reply to Government's Response in Opposition to Motion to Vacate,
22 Set Aside, or Correct Criminal Convictions and Sentence Pursuant to 28 U.S.C. § 2255 to
23 December 21, 2016

24 This Stipulation is entered into for the following reasons:

25 1. On August 17, 2016, Mr. Parkhurst filed a Motion to Vacate under 28 U.S.C. §
26 2255 ("Motion to Vacate"). ECF No. 44. On November 1, 2016, this Court ordered the

1 government to file a response to the Motion to Vacate by November 15, 2016. ECF No. 62.
2 On November 15, 2016, the government filed its Opposition to Mr. Parkhurst's Motion to
3 Vacate. ECF No. 66.

4 2. The Notice of Electronic Filing provided a Reply deadline of
5 November 21, 2016. *See* ECF No. 66. However, pursuant to Rule 5 of the Rules Governing
6 Section 2255 Proceedings, "[t]he movant may submit a reply to the respondent's answer or
7 other pleading within a time fixed by the judge," and therefore the parties request this Court
8 extend the deadline for filing a Reply to the government's Opposition to Motion to Vacate to
9 December 21, 2016.

10 DATED this 18th day of November, 2016.

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12 RENE L. VALLADARES
Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

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14 */s/ Nisha Brooks-Whittington*
By _____
15 NISHA BROOKS-WHITTINGTON
16 Assistant Federal Public Defender

/s/ Nancy Olson
By _____
NANCY OLSON
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

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7 Petitioner/Defendant.

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ORDER

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10 Based on the Stipulation of counsel and good cause appearing,

11 IT IS THEREFORE ORDERED that the Reply deadline is December 21, 2016.

12 DATED this 22 of November, 2016.

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15 UNITED STATES DISTRICT JUDGE
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